

GoToMeeting | Audrey P. Beck Municipal Building
4 So. Eagleville Road, Mansfield, CT

DRAFT MINUTES

1. CALL TO ORDER

Mayor Moran called the regular meeting of the Mansfield Town Council to order at 7:01 p.m. on GoToMeeting.

2. ROLL CALL

Present: Ausburger, Bruder, Fratoni, Freudmann, Kochenburger, Moran, Schurin, Shaiken

Excused: Berthelot

3. APPROVAL OF MINUTES

Mr. Schurin **moved** and Mr. Bruder seconded to approve the minutes of the July 27, 2020 regular meeting as presented. Motion **passed** unanimously.

4. PUBLIC HEARING

Director of Planning and Development Linda Painter gave a detailed presentation regarding the Small Cities Community Development Block Grant – COVID program and the Town's application for grant funding to support rental assistance, food security/nutritional assistance, and childcare assistance.

Mr. Shaiken **moved** and Mr. Kochenburger seconded to waive the reading of the public hearing notice. Motion **passed** unanimously.

Anne Wiant Rudd, Middle Turnpike, school nurse at Goodwin, spoke in support of the grant and stated there are pockets of poverty in town that would benefit from the grant.

Hearing no further comments, the public hearing was closed. Letters of support will be attached to the minutes.

5. OPPORTUNITY FOR PUBLIC TO ADDRESS COUNCIL

None.

6. REPORT OF THE TOWN MANAGER/COVID 19 UPDATE

Interim Town Manager John Carrington presented his written report. The report is available online at www.MansfieldCT.gov and is on file with the Town Clerk.

Additionally, Mr. Carrington and Councilors discussed Eversource's poor response to Tropical Storm Isaias.

7. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Mayor Moran reported that NBC interviewed her today about reducing public gathering numbers, though she has not received a response yet from the State regarding the request. She reported that she had conversations with UConn over the weekend and they are strongly supportive of the initiative.

Mr. Bruder reported his thanks to town staff and linemen for their work in the aftermath of Tropical Storm Isaias.

Mr. Ausburger reported that UConn students are already coming back and townspeople are concerned.

Mayor Moran noted her concern about a person not being able to call 911 when all digital communications go down simultaneously as they did during the recent storm.

8. OLD BUSINESS

A. Small Cities Program CDBG-CV: Authorization to Apply for Small Cities Funding CDBG-CV (Item #9B, 5-11-20 Agenda)

Ms. Painter presented a revised resolution to further specify the Town's intention with the following addition: "that would provide childcare assistance, food security/nutrition assistance, and rental assistance to low and moderate income residents impacted by the COVID-19 virus."

Mr. Bruder **moved** and Mr. Kochenburger seconded, effective August 21, 2020, to adopt the attached Resolution as revised Authorizing the Submission of a Small Cities Community Development Block Grant-COVID Application for up to \$500,000 dollars for rental assistance, food security/nutrition assistance, and childcare assistance for low and moderate income families impacted by the COVID-19 virus. Motion **passed** unanimously.

B. Town Manager Search (Item #8A, 1-27-20 Agenda)

Mayor Moran reported three finalists have been identified from the ongoing Town Manager search process.

C. UConn Fall Plan (Item #8A, 7-27-20 Agenda)

Mr. Shaiken **moved** and Mr. Ausburger seconded to adopt the following resolution:

Resolved, upon approval of the Town's request to further limit the size of gatherings during the State of Emergency, or when the Interim Town Manager deems it otherwise appropriate, and during the existence of the State of Emergency, the Interim Town Manager is authorized to issue such orders necessary to limit the size of gatherings as follows:

1. The maximum size of indoor gatherings in the Town of Mansfield shall be limited to 10 persons unrelated by blood or marriage; and
2. The maximum size of outdoor gatherings in the Town of Mansfield shall be limited to 20 persons unrelated by blood or marriage.

The Interim Town Manager is further authorized to establish an appropriate fine for violation of his order, and to designate one or more town officials empowered to take enforcement action or other action.

The above maximum limits may be increased to a higher level for a specific event or gathering but not more than permitted pursuant to Governor Lamont's Emergency Orders upon application to and approval by the Interim Town Manager. In determining whether to permit an increase in the maximum number of persons allowed, the Interim Town Manager shall take into consideration the following:

1. The sponsor, location, size and duration of the proposed gathering.
2. The plan for assuring proper social distancing among attendees.
3. Proposed signage, sanitary protocols including availability of hand sanitizers or other steps proposed to be taken to mitigate the possibility of the spread of COVID-19.
4. The proposed duration of the gathering.

In granting such permission the Interim Town Manager may condition the approval on such additional steps or procedures that he determines are necessary to protect the attendees and the general public.

If such permission is granted, and it is determined that the conditions approved are not being enforced or followed, the Interim Town Manager may immediately revoke said permission, and the gathering shall be limited to the maximum number of unrelated persons stated above.

The Interim Town Manager is also authorized to send notice by mail of the order limiting the size of gatherings to every household and property owner in Mansfield, and to make every other reasonable effort to inform residents of the order.

Mr. Schurin **moved** and Mr. Shaiken seconded to amend the motion to read that the Interim Town Manager is further authorized to establish a fine not in excess of \$250 for violation of his order. Motion to amend **passed** unanimously.

Main motion as amended **passed** unanimously.

9. NEW BUSINESS

A. Grant Award: Affordable Housing Plan Technical Assistance Program

Mr. Shaiken **moved** and Mr. Bruder seconded to adopt the following resolution:

Resolved, effective August 10, 2020, to authorize John Carrington, Interim Town Manager, to execute the Notice of Grant Award for the Affordable Housing Plan Grant Technical Assistance Program dated July 1, 2020; to execute amendments, rescissions, and revisions thereto; to implement project activities, if approved, and to act as the authorized representative of the Town of Mansfield and to execute any other agreement or contract relative to said project. Motion **passed** with all in favor except Mr. Ausburger, Mr. Fratonj, and Mr. Freudmann who voted against.

B. Wetlands Citation Ordinance

Mr. Kochenburger **moved** and Mr. Bruder seconded to schedule a public hearing on Tuesday, September 29, 2020 at 7:05 pm to receive comment on modifying the Section 40-6 of Mansfield Code of Ordinances Town's Wetland Citation Ordinance to be consistent with state statute. Motion **passed** with all in favor except Mr. Ausburger and Mr. Freudmann who voted against.

C. Conservation Easement Restrictions Related to Tree Removal

Mr. Bruder **moved** and Mr. Schurin seconded to authorize the Town Tree Warden in conjunction with Planning and Development staff to authorize removal of hazardous trees in Town owned conservation easements provided that the property owner provides documentation by a certified arborist that the subject tree(s) to be removed are deemed hazardous. Hazardous trees will be defined as dead or dying trees, dead parts of live trees, or unstable live trees (due to structural defects or other factors) that are within striking distance of people or property (a target). Hazard trees have the potential to cause property damage, personal injury or fatality in the event of a failure. To maintain the natural, scenic, ecological, and open space values of the Conservation Easement, no ground disturbance or stumping shall occur in association with the hazardous tree removal. Cost of the tree removal is the responsibility of the property owner.

Mr. Freudmann **moved** and Mr. Ausburger seconded to delete the first sentence of the motion and to substitute it with "authorize the Town Tree Warden in conjunction with Planning and Development staff to authorize removal of hazardous trees in Town owned conservation easements when the property owner has requested permission for the removal of subject trees. Motion to amend **passed** with all in favor.

Motion on the floor now reads:

Move, to authorize the Town Tree Warden in conjunction with Planning and Development staff to authorize removal of hazardous trees in Town owned conservation easements when the property owner has requested permission for the removal of subject trees. Hazardous trees will be defined as dead or dying trees, dead parts of live trees, or unstable live trees (due to structural defects or other factors) that are within striking distance of people or property (a target). Hazard trees have the potential to cause property damage, personal injury or fatality in the event of a failure. To maintain the natural, scenic, ecological, and open space values of the Conservation Easement, no ground disturbance or stumping shall occur in association with the hazardous tree removal. Cost of the tree removal is the responsibility of the property owner. Motion as amended **passed** with all in favor.

D. Proposed Land Swap with Joshua's Trust (Sawmill Brook and Wolf Rock Preserves)

Mr. Schurin **moved** and Mr. Bruder seconded to refer the proposed land swap between Joshua's Trust and the Town of Mansfield to the Planning and Zoning Commission pursuant to §8-24 of the Connecticut General Statutes, the Town Attorney, Conservation Commission, and Parks and Natural Resources Committee for review and comment and to schedule a public hearing at 7:00 p.m. on Tuesday, September 29, 2020. Motion **passed** with all in favor except Mr. Ausburger, Mr. Fratoni, and Mr. Freudmann who voted against.

10. REPORTS OF COUNCIL COMMITTEES

Finance Committee Chair Mr. Kochenburger reported that the Committee is meeting tomorrow.

Committee on Committees Chair Mr. Bruder reported that the Committee will meet next month.

11. DEPARTMENTAL AND ADVISORY COMMITTEE REPORTS

None.

12. PETITIONS, REQUESTS AND COMMUNICATIONS

A. Communications from the July 27, 2020 Town Council Packet

B. Sgt. K. Timme, Town of Mansfield Monthly Reports June 2020 & July 2020

C. C. Larsen (7.25.20)

D. C. Smith (7.25.20)

E. D. Javit (7.26.20)

F. J. Sidney (7.26.20)

G. The Chamber of Commerce Inc. Windham Region, letter re: Support of Mansfield 4 Corners (7.27.20)

H. Update from Congressman Courtney - GAO Report on Crumbling Foundations (7.30.20)

13. FUTURE AGENDAS

- Request for staff report regarding what town can do about litter/newspaper flyer distribution
- Town action regarding fraud: resources and education

14. ADJOURNMENT

Mr. Shaiken **moved** and Mr. Bruder seconded to adjourn the meeting at 10:00 p.m. The motion **passed** unanimously.

Antonia Moran, Mayor

Sara-Ann Chaine, Town Clerk

Sara-Ann Chaine

Subject: FW: Application for Public Service Activities

From: Anne Willenborg <willenborg5@gmail.com>
Sent: Monday, August 10, 2020 8:48 PM
To: Linda M. Painter <PainterLM@mansfieldct.org>
Subject: Fwd: Application for Public Service Activities

Dear Linda,

I sent this email yesterday but I learned it was not received.
Therefore I am sending it to you so that you are aware it was sent prior to the Town Council meeting this evening.

Thank you for your consideration.
Anne Willenborg

----- Forwarded message -----

From: **Anne Willenborg** <willenborg5@gmail.com>
Date: Sun, Aug 9, 2020 at 2:27 PM
Subject: Application for Public Service Activities
To: <TownMngr@mansfieldct.org>

Dear Town Council,

I urge the Town Council to authorize submission of an application for a COVID Small Cities Community Development Block Grant. As a local pediatrician, I am seeing an increased need by my patient's families for rental assistance, food security and child care assistance that has worsened since the Coronavirus pandemic.

Thank you for your consideration.

Anne Willenborg, MD

Sara-Ann Chaine

Subject:

FW: support for Small Cities Community Development Block Grant-COVID

----- Forwarded message -----

From: **Shamim Patwa** <patwas@mansfieldct.org>

Date: Mon, Aug 10, 2020, 5:13 PM

Subject: support for Small Cities Community Development Block Grant-COVID

To: <TownCouncil@mansfieldct.org>

To the Members of the Town Council,

I am writing in support of pursuing the SC CDBG-CV program. I have witnessed an increased need for supports within our community in my role as Director of Student Services for the Mansfield Public Schools. Specifically, more families are struggling with meeting childcare needs. The recent news that UCONN Child Labs will be closing until January will place added strain for parents seeking childcare.

In addition to childcare, there is a continued need to address food insecurity. Families availing themselves of the school's meal assistance program have grown over the period of time since the schools closed for distance learning. Providing greater continuity of this service is warranted.

I encourage you to support the pursuit of this grant. Our families are in need and will benefit from additional programs.

Regards,
Shamim Patwa

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Shamim S. Patwa, PhD

Director of Student Support Services

860.429.3353

patwas@mansfieldct.org

mansfieldct.gov/mps



TOWN OF MANSFIELD
RESOLUTION AUTHORIZING THE SUBMISSION OF A SMALL CITIES
COMMUNITY DEVELOPMENT BLOCK GRANT-COVID (SC CDBG-CV)
APPLICATION FOR PUBLIC SERVICE ACTIVITIES

- WHEREAS, Federal monies are available under the Title I of the Housing and Community Development Act of 1974, 42 U.S.C. § 5301, et. seq., as amended, also known as Public Law 93-383, and administered by the State of Connecticut, Department of Housing as the Connecticut Small Cities Community Development Block Grant Program; and
- WHEREAS, Pursuant to Chapter 127c, and Part VI of Chapter 130 of the Connecticut General Statutes, the Commissioner of the State of Connecticut Department of Housing is authorized to disburse such federal monies to local municipalities; and
- WHEREAS, The Town as identified the need for additional public services to assist residents in responding to the impacts of the COVID-19 virus; and
- WHEREAS, The Town of Mansfield conducted a public hearing to receive citizen comments on community needs related to preventing, preparing for, and responding to the impact of the COVID-19 virus; and
- WHEREAS, It is desirable and in the public interest that the Town of Mansfield make application to the State for up to \$500,000 in order to undertake a Small Cities Community Development program that would provide childcare assistance, food security/nutrition assistance and rental assistance to low and moderate-income residents impacted by the COVID-19 virus and to execute an Assistance Agreement therefore, should one be offered;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MANSFIELD:

That it is cognizant of the conditions and prerequisites for the State financial assistance imposed by Part VI of Chapter 130 of the Connecticut General Statutes; and,

That the filing of an application for State financial assistance by the Town of Mansfield in an amount not to exceed \$500,000 is hereby approved and that John Carrington, Interim Town Manager, is hereby authorized and directed to file such application with the Commissioner of the Department of Housing; to provide such additional information; to execute such other documents as may be required by the Commissioner; to execute an Assistance Agreement with the State of Connecticut for financial assistance if such an agreement is offered; to execute any amendments, rescissions, and revisions thereto; to implement project activities, if approved, and to act as the authorized representative of the Town of Mansfield and to execute any other agreement or contract relative to said project.

That it adopts or has adopted on behalf of the Town of Mansfield a policy to support the following nondiscrimination agreements and warranties provided in subsection (a)(1) of Connecticut General Statutes sections 4a-60 and 4a-60a, respectively, as amended by Public Act 07-142, and for which purposes the "contractor" is the Town of Mansfield and "contract" is said Assistance Agreement:

The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation or physical disability, including but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the State of Connecticut. The contractor further agrees to take affirmative action to insure that applicants with job-related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved.

The contractor agrees and warrants that in the performance of the contract, such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or of the State of Connecticut, and that employees are treated when employed without regard to their sexual orientation.

Antonia Moran
Mayor

Dated at Mansfield, Connecticut
this 10th day of August, 2020

Attest: I, Sara-Ann Chaine, Town Clerk of the Town of Mansfield, do hereby certify that the above is a true and correct copy of a resolution adopted by the Mansfield Town Council at its duly called and held meeting on August 10, 2020, at which a quorum was present and acting throughout, and that the resolution has not been modified, rescinded, or revoked and is at present in full force and effect. I further certify that John Carrington now holds the office of Interim Town Manager and that he has held that office since July 19, 2019.

Date
(Seal)

Sara-Ann Chaine, Town Clerk